

## City Council Minutes

### October 14, 2002

The Council of the City of Milton-Freewater met in regular session on Monday, October 14, 2002 at 7:00 p.m. in the council chambers of City Hall.

The following members were present: Mayor Lewis Key, Councilors Saager, Lyon, Kelley, Woods and Humbert. Staff members present were City Manager Delphine Palmer, Assistant City Manager Linda Hall, Electric Superintendent Mike Charlo, Police Chief Mike Gallaher and City Planner Gina Hartzheim.

Citizens present were Use the list of names from the citizen sign up sheet Mary Clark, John Short, Ellen DeGross, Dave Godman, Kathy Clough, Kelly Hahn, Charlie Good and others.

Representing the press was Jeanine Koranda of the East Oregonian.

Consent Calendar Items: Included in the consent calendar items are a) Adoption of September 23, 2002 minutes and b) Approval of Liquor License Application for M-F Supper Club. Councilor Saager moved to adopt the consent calendar. Councilor Kelley seconded the motion which passed unanimously.

Mayor Lewis Key announced to the audience that this was the opportunity for citizens to approach the council with concerns not on the agenda. None approached.

Mayor Lewis Key proclaimed October 24, 2002 as "Effie Ritchey Day" and further read the formal proclamation.

### **NEW BUSINESS:**

**REQUEST FOR COUNCIL TO INITIATE PROCEEDINGS FOR VACATION OF PARCEL OF PROPERTY LOCATED ON SW 12<sup>TH</sup> STREET.** City Planner Gina Hartzheim stated that the request for action this evening would be to determine if council desired to initiate the proceedings and if so, a public hearing would be scheduled for staff and citizen input. Ms. Hartzheim stated there had been similar vacation approvals in this area in the past, but the difference in this particular request was an area of overhead power lines. In this particular area, if council considers this vacation, the recommendation would be to retain a utility easement for future utility work if necessary. Councilor Woods asked if the process at this point would be to start the hearing process, but not ask questions. Ms. Hartzheim said questions could be asked, but the request is only to initiate the process at this point. Councilor Woods then asked if we would get sidewalks in exchange. Ms. Hartzheim stated that the greater portion of SW 12<sup>th</sup> Street is not on the City Sidewalk Master Plan, so there is no requirement to ask for the installation of a sidewalk. If it were determined this area to be a site for future sidewalk construction, there should be space to construct a sidewalk. Councilor Saager asked how much property would be left after the vacation. Ms. Hartzheim stated she didn't have an exact measurement, but that the City's right-of-way on SW 12<sup>th</sup> Street is an 80 foot right-of-way. Public Works Superintendent Howard Moss stated that the pavement on SW 12<sup>th</sup> Street is to the north primarily due to the large rock abutment that faces Main Street, so when the street was constructed it was shifted to the north. Mayor Key asked how much right-of-way this vacation would leave. Ms. Hartzheim stated it would leave approximately 60 feet as the request is for

19 ½ feet along the applicants property. Councilor Woods asked about the map and how much the right-of-way is at that point. Ms. Hartzheim stated the map showed the 19 ½ feet vacation strip. Councilor Humbert asked if two other properties on SW 12<sup>th</sup> Street had been vacated. Ms. Hartzheim concurred. Councilor Humbert asked if the power poles should be moved if council decided to vacate this property. Electric Superintendent Mike Charlo said he would recommend a full easement with proper wording to ensure access to the existing power poles, but he would not recommend moving the power poles out of alignment. Councilor Humbert setup a scenario by which the property owner would landscape this area and then the City may decide in the future to tear it up and install underground power. Ms. Hartzheim said there wouldn't be much difference and that she had outlined several options to the landowner and it was his decision to pursue the vacation request. Councilor Woods asked what it would cost the City to purchase a 19 ½ foot by 100 foot strip. Councilor Saager responded "A lot!" Councilor Woods asked about Eminent Domain. Ms. Hartzheim said that within the Eminent Domain process the suggested property value would be realized from the appraised value. Assistant City Manager Linda Hall stated that massive attorney fees would be added due to the condemnation process. Councilor Woods stated he only wanted to know the value of the land the City would be giving up. Ms. Hartzheim said she could have that information if council agreed to initiate a hearing. Councilor Kelley asked Ms. Hartzheim about the City initiating the proceedings versus the landowner and what that costs the City. Ms. Hartzheim stated that the process of council initiating the proceeding would cost the City in publication costs. Ms. Hartzheim further stated that a rough estimate of publication costs would be around \$100.00 due to the requirement to publish twice. Ms. Hartzheim said that if council does not initiate the hearings, then the landowner is forced into another arduous process to obtain notarized signatures.

Councilor Saager moved to direct the staff to schedule a public hearing on vacation of 19 ½ foot strip along SW 12<sup>th</sup> Avenue, 100 feet in length as shown on the attached map, with a goal to retain a utility easement in the area the vacation has allowed. Councilor Kelley seconded the motion which passed unanimously.

**BID AWARD FOR TELEPHONE SYSTEM.** Electric Superintendent Mike Charlo stated that the current telephone system the City uses is approximately 13-years old. Telephone systems have been discussed in budgeting meetings for the last couple of years at least and it was determined to pursue the issue this year due to the construction of the library. With the Internet use in the library an upgraded phone system became evident. Mr. Charlo said the City advertised heavily throughout the Northwest and received six proposals, of which five were interviewed with demonstrations. Two of the five companies came back for a second interview and it was determined that Umatilla-Morrow Education Service District (ESD) would provide the best long-term telephone service with WAN Access (Internet service). Mr. Charlo continued stating that the ESD proposal was not the most expensive, but was also not the least expensive; however, their proposal not only included an upgrade to the system we now have, it also added a

T-1 connection between the ESD, Library, City Hall and the City Shop. The library now has intermittent Internet service and they need the best service to conduct their business. This particular proposal provided the same high quality Internet service to

all of our buildings with the T-1 connection, which was not part of other proposals. Also included in this proposal will be local calling to anywhere within Umatilla and Morrow Counties, and local calling to Portland and Salem within six months. Currently, the City pays for 17 telephone lines at \$28.00 per month per line. With the new proposal the telephone lines would be decreased to seven telephone lines which will be a significant monthly savings. The new proposal has a 5-year warranty versus a 1-year warranty. Mr. Charlo further said that the Electric Department had \$100,000.00 in conservation funds approved to do loans for customers for heat-pumps and weatherization-type items. There are other funds from Bonneville that can aid in weatherization items which are not as attractive as our low-interest loans, but is an avenue for our customers to acquire weatherization. Mr. Charlo proposed that the \$44,807.99 be taken from the \$100,000.00 budget line item which would be loaned to the City for 3-years at 4.5% interest. The Electric Department will still have \$60,000.00 to work with this year, which is not going very fast. Mayor Key asked if this plan would include the Fire Department and their 9-1-1 system. Mr. Charlo said he thought the Fire Department system was going over copper lines and didn't think that would change. Mr. Charlo also said that through the Engineering contract with ESA for design of the SCADA system, installation of a fiber optic cable from City Hall to both substations will actually go in front of the City Shop and will serve as the communication system between City Hall and the City Shop. Councilor Woods asked if this system was separate from the 9-1-1 system. Mr. Charlo concurred that it was separate. Mr. Charlo said that the City was not working with the 9-1-1 system with this proposal, but that if council had questions regarding the inter-workings of the phone system, Rob Naughton from Umatilla-Morrow Education Service District was here and could address this issue better. Councilor Woods said he just wanted to know if the new system was compatible for 9-1-1 where the new system was going into the Fire Department as well as City Hall. Rob Naughton stated that the 9-1-1 system requires standard analog lines from Qwest or the local provider. The new system would provide capabilities for emergency lines, but would not have any effect on the present system. Assistant City Manager Linda Hall suggested a tour of the 9-1-1 facility for Councilors Woods and Humbert. Councilor Woods asked if the new system would include the Police Departments regular business lines. Police Chief Mike Gallaher stated that the regular business lines would be included in this new system, but the 9-1-1 system would remain as is. Councilor Humbert asked how long this system would last with the City. Mr. Charlo said he was hoping 10 to 15 years. Councilor Saager asked if this system was in operation now and Mr. Naughton said there were currently 32 systems in use now. Mr. Naughton further explained that a trunk is a phone line and each T-1 line supports 24 trunks. When the system is first installed, seven trunks will be installed which will support 14 calls simultaneously. Every employee will have their own line with voice mail. With DID (Direct Interdial) the new system will be much more efficient, but if necessary, the City may add trunks to the T-1 line. Mayor Key asked if citizens would get the same recorded message when calling the City. Mr. Naughton said that they would develop a "tree", an employee directory to aid more efficiently with direction. City employees will have 4-digit dialing City wide. Councilor Kelley asked about each phone having its own number and if you had that number, if you could dial direct to that particular person.

Mr. Naughton concurred that each phone would have its own number and that you could call a particular person. Mayor Key asked if ESD did both public and private entities. Mr. Naughton said that ESD only sets up systems for public entities. City Manager Delphine Palmer stated that when she first came last year that computers were different with different software which made them incompatible for employees to communicate with each other, the server was down a lot and the phone system cuts customers off mid sentence which is poor customer relations. Ms. Palmer further stated that with the new system she felt that there would be tremendous improvement. Mayor Key asked how fast the T-1 system is compared to the wireless system currently used. Mr. Naughton said he did not know how fast the wireless system is, but the T-1 system is 1.5MB and compared to a dial-up system at home, the T-1 system is about 45-times faster and would be a major improvement over what the City currently has in both speed and reliability.

Councilor Humbert moved to award the bid to Umatilla-Morrow Education Service District (ESD) in the amount of \$44,807.99 for a new telephone system, WAN Access (Internet), and associated network equipment. Councilor Kelley seconded the motion which passed unanimously.

**RESOLUTION NO. 1910 AUTHORIZING INTERFUND LOAN.** Councilor Kelley moved to authorize an Interfund capital loan from the Electric fund to the Finance Department fund in the amount of \$44,807.99 to be paid back to the Electric Department in three years at the interest rate of 4.5%. Councilor Saager seconded the motion which passed unanimously.

**BID AWARD NORTH MAIN STREET CONSTRUCTION.** Public Works Superintendent Howard Moss stated that two projects were under this bid, the widening of North Main from 11<sup>th</sup> to Powell Road and the placement of a five-foot sidewalk along the west side of North Elizabeth Street from Main Street to Broadway. Mr. Moss further said this was a long-awaited project where funds have been saved from annual ODOT allotments of approximately \$30,000.00 for city upgrades. Mr. Moss said he would like to see the work done this Fall, weather permitting, and the recommendation is to award the bid to W.J. Shockman & Son in the amount of \$66,762.46.

Councilor Kelley moved to award bid contract No. C-169, North Main Street and Elizabeth Street Improvements to W.J. Shockman and Son, inc. in the amount of \$66,762.46. Councilor Lyon seconded the motion which passed unanimously.

**BID AWARD HAY SALES.** Public Works Superintendent Howard Moss said this was the second round of bids for hay sales this year. The market is significantly down for hay. The first offering was one lot sold at staff level based on market. This second round has been advertised more and have reduced minimums to attract bidders. The market is down about 25% from past years. Councilor Humbert asked if the bid rate was per ton. Mr. Moss concurred. Councilor Humbert asked Mr. Moss to research selling hay to a Washington State based company and if a public entity had to charge Washington State Sales Tax. Councilor Woods asked how the money was collected. Mr. Moss said there were two methods, first, provide an irrevocable letter of credit and second, the pay-as-you-go method. Mr. English is choosing the pay-as-you-go method with a 24-hour payment. To clarify this, if Mr. English takes two loads of hay, payment will be made for the two loads within 24-hours.

Councilor Humbert moved to award Lots 1,2,4 & 5 to English Hay Company, Inc. of Mesa, Washington in the amount of \$34,738.30. Councilor Lyon seconded the motion which passed unanimously.

#### **MANAGER'S REPORT**

City Manager Delphine Palmer reported that she and Chief Gallaher participated in the Domestic Violence Walk and that she felt the event was well attended this year where a candle-light vigil was held. Ms. Palmer said that students had made the posters and had done a really good job.

Next, Ms. Palmer said that a number of reports had come in about terrorism. Just as reported in the media, these reports don't seem to have much information as to where or when, but warn us more to be aware. A couple of months ago a report said that middle-eastern people were going to the fire departments and asking to see their communication systems suggesting they were interested due to a personal interest in a fire department in Europe which would have infiltrated possible security systems. U.S. Department of Justice is having a 3-day session for employees, especially police, fire, public work and electric personnel on preparing for and responding to terrorism weapons of mass destruction. With the threat of Y2K, two full years were spent preparing for the event and yet with the threat of terrorism, a lot of the cities are not preparing. Ms. Palmer reported that Chief Gallaher will be attending an in-depth seminar specifically targeted for police chiefs and he will also write a plan for the City of Milton-Freewater and its citizens. Hopefully, as with Y2K, we will never have to use the plan, but the City and its citizens will have the opportunity to be prepared. Ms. Palmer said she had been doing a lot of work for the Department Head Retreat on Friday. She has organized a full day of items to discuss with Department Heads. Much of the discussion will involve customer service and Ms. Palmer's expectations of how employees treat each other in the workplace and how customers are treated as well. Ms. Palmer is hoping the day to be fun and that the Department Heads will come back knowing each other a little better and will have new ideas.

Ms. Palmer stated the applications are in from attorneys specializing in municipal and employment law and she and Assistant City Manager Linda Hall will be reviewing those applicants during this week, but Ms. Palmer requested direction from the council as to whom this attorney would report to. Currently, Mr. Doug Hojem reports to the council, but Ms. Palmer asked council if this other contract attorney could report to the City Manager since the legal basis is employment law. Council discussed the issue and agreed to have this other contract attorney report to the City Manager.

Ms. Palmer is very proud of her Department Heads and their effort to find creative ways to generate revenue and save costs. Finance Director Dave Richmond came to Ms. Palmer several months ago discussing long-standing City loans with high interest rates. Mr. Richmond's suggestion was to refinance these loans for a lower interest rate and Ms. Palmer agreed. Now one loan has already been reduced saving the City \$104,000.00. The City has two other loans and Ms. Palmer said that hopefully she could report the savings on those two loans at the next meeting.

#### **COUNCIL CONCERNS**

Councilor Humbert announced he would like to meet with Public Works Superintendent Howard Moss as he would like to begin construction on the bathrooms for Little League Baseball at Yantis Park. A construction fence will be going up and

they will be determining how to route the sewer system. Councilor Humbert announced this was a volunteer project and invited all in attendance to help in the project. Councilor Humbert estimated the project to take approximately two months due to the volunteer nature. Councilor Humbert also reported he would be submitting a construction schedule to Mr. Moss by the end of this week. Councilor Kelley asked if all the councilors could have a copy of the construction schedule. Councilor Humbert said this would not be a problem. Assistant City Manager Linda Hall said to give her the schedule and she would get it out to council. City Manager Delphine Palmer said to issue the schedule to all employees, that they may be interested in volunteering. Councilor Saager asked Public Works Superintendent Howard Moss, how long Cockburn's would be out of business. Mr. Moss stated that they seemed satisfied when meeting with them as they have alternative routes for their businesses. Mr. Moss further said that Watermain construction is very time consuming due to other complex structures surrounding the watermain. Councilor Saager asked if the watermain would run down Third Street to Cockburns. Mr. Moss said the project would stop at Third Street. Councilor Humbert asked how many services had to be crossed. Mr. Moss reported there were six services. Councilor Humbert suggested to investigate directional boring.

Councilor Woods reminded everyone that tomorrow (October 15<sup>th</sup>) would be the last day to register to vote in the upcoming election.

There being no further business the meeting was adjourned at 8:00 p.m.

Lewis S. Key, Mayor